

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

Case No. 7:21-cr-00114-M

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN BRYANT BOYETTE,

Defendant.

ORDER

This matter comes before the court on Defendant's pro se motion for free copies [DE 41]. Defendant requests an order directing the Clerk of Court to provide a courtesy copy of his judgment and "docket sheet." DE 41. He also requests that the court direct his former attorney to send him "any and all information in which he is entitled to by law." *Id.* For the following reasons, the motion is DENIED.

Under 28 U.S.C. § 1914(b), the "clerk shall collect from the parties such . . . fees only as are prescribed by the Judicial Conference of the United States." The Judicial Conference Schedule of Fees provides that various "fees . . . are to be charged for services provided by" this court, including "[f]or reproducing any record and providing a copy in paper form, \$.50 per page." 28 U.S.C. § 1914, District Court Miscellaneous Fee Schedule, n.4. "Copies of transcripts and court records may be provided to an indigent litigant at government expense upon a showing by the litigant of a particularized need." *United States v. Gallo*, 849 F.2d 607 (Table), 1988 WL 60934, at *1 (4th Cir. May 31, 1988).

Defendant believes that the information contained in the documents he seeks will "assist with preparation of litigation that he intends to bring before the court." DE 41. Defendant has not

demonstrated a “particularized need” for the requested filings. *Gallo*, 1988 WL 60934, at *1.

The court is not familiar with any authority allowing an order directing his former attorney to produce “any and all information in which he is entitled to by law.” DE 41. To the extent that any such information constitutes records of the court, Defendant has not provided the requisite “particularized need” to justify production. *Gallo*, 1988 WL 60934, at *1.

Defendant may obtain copies of documents in his case file by making a request to the Clerk of Court, U.S. District Court mailed to the address below:

Attention: Copy Request System
United States Clerk’s Office
P.O. Box 25670
Raleigh, NC 27611

SO ORDERED this 26th day of September, 2023.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE